

REMARKS/ARGUMENTS

In response to the election of species and restriction requirements issued December 8, 2003 in the instant patent application, Applicants elect for prosecution the invention of Group III, claims 16-25 drawn to a method of for improving production of vanillin in cultured *Vanilla planifolia* cells which comprises genetically engineering the cells to overproduce one or more enzymes associated with one or more steps of vanillin biosynthesis, wherein the enzyme is associated with chain shortening of *p*-coumaric acid to *p*-hydroxybenzaldehyde, and to genetically engineered *Vanilla planifolia* cells and plants. Claims 1-15, and 26-29 are cancelled herein as drawn to a non-elected invention. Applicant reserves the right to prosecute the claims of the non-elected invention in one or more continuing applications.

With respect to claims 30-31, Applicants respectfully traverse the restriction requirement. Where, as here, the Office has restricted the closely related members of the Markush group, it is difficult to consider that rejoining claims 30 and 31 as defined in group IX, with the elected invention would in any way pose any serious additional search burden on the examiner. A proper search on group IX will necessarily reveal art required for the examination of claims in group III, since the first step is identical. It cannot be argued that any additional burden is required. Accordingly, Applicants respectfully request reconsideration, and the rejoinder of claims 30-31 with the elected group of claims.

Respectfully submitted,



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